

No. 5:13-CV-684-F

CATEPILLAR INC.,
Defendant.

ORDER

Because Plaintiff's motion to amend consists primarily of various responses to the Defendant's answer and requests only minor modifications to the original complaint, the court will not require Plaintiff to file a new amended complaint. The operative complaint in this case will consist of the Plaintiff's original complaint [DE-1], as amended by the Plaintiff's motion to

¹ Despite Plaintiff's failure to provide a certificate of service, the Defendant was provided notice of the motion to amend by the notice of electronic filing generated on November 25, 2013. *See* Local Civ. R. 5.1(e).

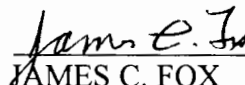
amend at docket entry 16. Defendant should still file a responsive pleading to docket entry 16, though the court recognizes it may be substantially similar to the Answer filed on November 12, 2013 [DE-11].

In future filings, Plaintiff must include an appropriate certificate of service page attached to each filing, in accordance with Rule 5 of the Federal Rules of Civil Procedure and the court's CM/ECF policy manual. The CM/ECF policy manual, which includes instructions for including a certificate of service page and examples may be found at <http://www.nced.uscourts.gov/cmecf/default.aspx>. Plaintiff should also familiarize himself with the "Representing Yourself in a Civil Case: A Guide for the Pro Se Litigant" manual, which may be found at <http://www.nced.uscourts.gov/prose/Default.aspx>.

Finally, Plaintiff asserts that he did not receive the Defendant's Answer [DE-11] in the mail. Defendant has provided an appropriate certificate of service attached to the Answer, which indicates that the Answer was served on the Plaintiff by first class mail sent to the address the court has listed for the Plaintiff on the docket sheet. Plaintiff needs to ensure that he has provided his correct address to the court. Plaintiff is accordingly DIRECTED to file his current address with the court on or before **January 7, 2014**.

SO ORDERED.

This the 31st day of December, 2013.



JAMES C. FOX
Senior United States District Judge